

## **EXHIBIT A**



# Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

Mark R. Kercher, CPA  
5090 Old Goodrich Road  
Clarence, NY 14031

File Number: 106915.000001

Please remit payment within 30 days from date of invoice

Kercher, CPA, Mark R.	Date:	10/22/24
RE: Kercher re Mott Receivership	Invoice:	942052
Client Ref:		

For Professional Services Rendered and Costs Advanced through 09/30/24

<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
08/01/24	NSG	Zoom call with M. Kercher, D. Ealy,, Rothenbergs regarding financial situation.	B110	0.60	240.00
08/01/24	JGH	Prepare for and participate in conference call with M. Kercher and J. Milbrand.	B110	0.50	237.50
08/01/24	JGH	Call and emails with M. Kercher re Kinecta bank statements.	B110	0.30	142.50
08/01/24	NSG	Conference with D. Ealy, Rothenbergs regarding status of companies.	B110	0.50	200.00
08/01/24	NSG	Correspondence with J. Horn and M. Kercher regarding docket update, Kinecta bank statements and pull Kinecta bank statements from file.	B110	0.40	160.00
08/01/24	JGH	Edit HSE fee application and proposed order.	B110	0.50	237.50
08/01/24	NSG	Correspondence with M. Kercher regarding fee application documentation.,	B110	0.20	80.00
08/01/24	NSG	Correspondence with J. Horn regarding fee application documentation.	B110	0.20	80.00
08/01/24	NSG	Review and revise fee	B110	0.40	160.00

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08/02/24	NSG	application documentation. Call with J. Horn regarding debrief of yesterday's call with defendants' counsel.	B110	0.40	160.00
08/02/24	NSG	Finalize drafts of Kercher and HSE fee applications.	B110	0.60	240.00
08/02/24	NSG	Correspondence with M. Kercher regarding fee applications.	B110	0.20	80.00
08/07/24	NSG	Correspondence with J. Horn regarding J. Breen call.	B110	0.20	80.00
08/07/24	JGH	Call with N. Gatto re FBI interview request.	B110	0.30	142.50
08/07/24	JGH	Calls with M. Kercher and FBI special agent.	B110	0.50	237.50
08/07/24	JGH	Call with N. Gatto re monthly receiver's report.	B110	0.20	95.00
08/07/24	TLA	Finalize Second Application for fees for HSE; e-mail Receiver Application to M. Kercher for signature.	B110	0.30	67.50
08/07/24	NSG	Correspondence with M. Kercher regarding sign off on fee application.	B110	0.20	80.00
08/07/24	NSG	Work with T. Amplement and finalize for filing of fee applications.	B110	1.00	400.00
08/08/24	TLA	Finalize and file Third Application for Expenses of Receiver with Exhibits A-C; file Second Application for fees for HSE with Exhibit A.	B110	2.20	495.00
08/08/24	NSG	Correspondence with T. Amplement regarding update on filing fee applications, proposed orders.	B110	0.50	200.00
08/08/24	NSG	Prepare proposed orders for fee applications.	B110	0.40	160.00
08/09/24	NSG	Correspondence with M. Rothenberg regarding Monroe's equipment sale.	B110	0.10	40.00
08/09/24	JGH	Calls with FBI SA Breen and M. Kercher re equipment sale.	B110	0.40	190.00
08/12/24	TLA	Review plaintiff memorandums of law in opposition to all	B110	0.40	90.00

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<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
		defendants' motions to dismiss and forward to Receiver; review plaintiff's motion for order for attachment and forward to same.			
08/12/24	NSG	Correspondence with M. Kercher, J. Horn, T. Amplement regarding order of attachment.	B110	0.10	40.00
08/15/24	JGH	Multiple communications with client and counsel for Ridgemont Country Club regarding liquor license transfer and overdue rental payments.	B110	1.10	522.50
08/15/24	JGH	Calls with M. Rothenberg and M. Kercher re Ridgemont Country Club's changing of locks preventing removal of Monroe's equipment.	B110	0.40	190.00
08/15/24	NSG	Correspondence with J. Horn regarding Ridgemont and equipment sale updates.	B110	0.20	80.00
08/18/24	NSG	Correspondence with J. Horn regarding Ridgemont.	B110	0.10	40.00
08/19/24	JGH	Multiple calls and emails with client and N. Gatto regarding Rosemont billing and equipment-retrieval situations.	B110	0.80	380.00
08/19/24	TLA	Review Order granting Third Application of Receiver for expenses and forward same along with motion papers to M. Kercher; review order granting HSE Second Application for Compensation.	B110	0.30	67.50
08/19/24	NSG	Confer with J. Horn regarding Ridgemont	B110	0.30	120.00
08/19/24	NSG	Correspondence with J. Horn and M. Kercher regarding Horn correspondence with T. Adams, Ridgemont developments.	B110	0.40	160.00
08/19/24	NSG	Call with C. Deats and correspondence with J. Horn and M. Kercher regarding cancelled Ridgemont event.	B110	0.30	120.00

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08/20/24	NSG	Draft July monthly activity report.	B110	0.80	320.00
08/21/24	NSG	Calls and correspondence with M. Kercher regarding activity report, Ridgemont, other status.	B110	0.40	160.00
08/21/24	NSG	Finalize draft of activity report and correspondence with M. Kercher regarding same.	B110	0.70	280.00
08/21/24	NSG	Zoom call with M. Kercher, Rothenbergs regarding Ridgemont matters.	B110	0.30	120.00
08/22/24	NSG	Confer with J. Horn regarding Ridgemont updates.	B110	0.50	200.00
08/22/24	JGH	Strategize regarding asset-recovery from Ridgemont Country Club.	B110	0.50	237.50
08/22/24	NSG	Correspondence with M. Rothenberg and T. Adams regarding Ridgemont liquor license.	B110	0.10	40.00
08/23/24	NSG	Correspondence with M. Kercher regarding his comments to receiver's report.	B110	0.20	80.00
08/23/24	NSG	Correspondence with J. Horn regarding his comments to receiver's report.	B110	0.20	80.00
08/23/24	JGH	Edit draft monthly report of receiver; communicate with FSB counsel re Kinecta documents.	B110	0.50	237.50
08/23/24	NSG	Revise receiver's report.	B110	0.40	160.00
08/23/24	NSG	Correspondence with J. Horn regarding Kinecta bank statements for Five Star Bank and review same.	B110	0.20	80.00
08/26/24	NSG	Finalize receiver's report for filing.	B110	1.10	440.00
08/26/24	JGH	Calls and emails with M. Kercher re requested FBI interview and Ridgemont billing dispute.	B110	0.70	332.50
08/26/24	JGH	Communicate with defense counsel and counsel for Ridgemont Country Club regarding billing dispute and related matters.	B110	0.70	332.50

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<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
08/26/24	NSG	Correspondence and confer with T. Amplement regarding filing receiver's report.	B110	0.30	120.00
08/26/24	NSG	Correspondence and confer with M. Kercher and J. Horn regarding comments to receiver report, issues with Monroe member shortfalls.	B110	0.60	240.00
08/26/24	TLA	Finalize and file Third Report of Receiver with Exhibit A financial presentation.	B110	0.50	112.50
08/27/24	JGH	Communicate with client and N. Gatto re Ridgemont billing dispute.	B110	0.20	95.00
08/27/24	NSG	Correspondence and confer with J. Horn and correspondence with M. Kercher regarding Monroe's members shortfalls.	B110	0.30	120.00
08/30/24	NSG	Correspondence with M. Kercher regarding Jult time and review same.	B110	0.20	80.00
08/30/24	NSG	Correspondence with Finance regarding July time and review same.	B110	0.20	80.00
08/30/24	TLA	Review reply memos of law filed in further support of Mott, defendant entities, Pagano and LaRocca motions to dismiss and forward same to Receiver.	B110	0.30	67.50
09/03/24	NSG	Correspondence with J. Horn and M. Kercher regarding Cucinelli action vs. Monroe's.	B110	0.20	80.00
09/03/24	NSG	Correspondence with M. Kercher regarding June time.	B110	0.10	40.00
09/03/24	JGH	Call with client regarding Ridgemont Country Club dispute, FBI request for interview, and related matters.	B110	0.70	332.50
09/03/24	JGH	Prepare for and place call to T. Adams, counsel for Ridgemont Country Club regarding alleged breaches of Food and Service Management Agreement and related issues.	B110	0.40	190.00

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<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
09/03/24	JGH	Call with FBI S.A. J. Breen re request for interview.	B110	0.20	95.00
09/03/24	JGH	Review Food and Service Management Agreement and related communications in order to prepare email recap and recommendation to client.	B110	0.50	237.50
09/03/24	NSG	Correspondence with D. Ealy regarding membership interest sale.	B110	0.10	40.00
09/03/24	TLA	Review reply memos of law in further support of defendant's Harris and Barne's motions to dismiss.	B110	0.10	22.50
09/04/24	NSG	Begin draft fee applications for HSE and receiver.	B110	0.40	160.00
09/05/24	NSG	Correspondence with J. Horn regarding new restaurant rumor.	B110	0.10	40.00
09/05/24	JGH	Call with M. Kercher re various matters.	B110	0.30	142.50
09/05/24	JGH	Emails with FBI Special Agent Breen re interview, with Attorney T. Adams re Ridgemont dispute, and with Attorney J. Milbrand re new restaurant inquiry.	B110	1.10	522.50
09/06/24	JGH	FBI/AUSA interview.	B110	1.00	475.00
09/06/24	JGH	Call with M. Kercher re activity report, FBI interview, and related matters.	B110	0.20	95.00
09/06/24	NSG	Finalize draft of Kercher fee application.	B110	0.70	280.00
09/06/24	NSG	Correspondence with J. Horn regarding draft of Kercher fee application.	B110	0.10	40.00
09/06/24	NSG	Correspondence with M Kercher regarding draft of Kercher fee application.	B110	0.10	40.00
09/09/24	JGH	Read and reply to email from client regarding outreach from Jim Cucinelli regarding August rent.	B110	0.20	95.00
09/09/24	NSG	Correspondence with M. Kercher	B110	0.20	80.00

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<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
		and J. Horn regarding Ridgemont status.			
09/10/24	NSG	Draft HSE July fee application.	B110	1.00	400.00
09/10/24	NSG	Correspondence with J. Horn regarding third fee application of HSE, fourth receiver's report.	B110	0.20	80.00
09/10/24	NSG	Correspondence with M. Kercher regarding his draft fourth receiver's report.	B110	0.10	40.00
09/10/24	NSG	Review draft fourth receiver's report.	B110	0.20	80.00
09/11/24	NSG	Review and comments to draft activity report.	B110	0.60	240.00
09/11/24	NSG	Correspondence with M. Kercher and J. Horn regarding draft activity report, Ridgemont disputes.	B110	0.20	80.00
09/12/24	NSG	Work with M. Kercher and T. Amplement regarding Kercher July fee application finalizing and filing; prepare form of order.	B110	0.40	160.00
09/12/24	TLA	Finalize and file Fourth Application of Receiver for expenses with Exhibits A-C.	B110	0.90	202.50
09/13/24	NSG	Review incoming pleadings in lawsuit regarding defense to attachment motion.	B110	0.30	120.00
09/13/24	NSG	Correspondence with M. Kercher regarding Pagano and business entities' response papers in lawsuit.	B110	0.20	80.00
09/16/24	TLA	Review Bourne response in opposition to motion for order of attachment and forward to M. Kercher.	B110	0.10	22.50
09/17/24	JGH	Begin reviewing recent court filings.	B110	0.30	142.50
09/17/24	NSG	Correspondence with M. Kercher and J. Horn regarding call tomorrow.	B110	0.10	40.00
09/17/24	TLA	Review signed Order granting fourth Application of Receiver for Expenses and forward to M.	B110	0.10	22.50

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		Kercher.			
09/18/24	NSG	Confer with J. Horn regarding call with M. Kercher.	B110	0.10	40.00
09/18/24	NSG	Call with M. Kercher and J. Horn regarding receiver's report, attachment motion.	B110	0.60	240.00
09/18/24	JGH	Review recent court filings and draft Monthly Activity Report in preparation for call with M. Kercher and participate in call.	B110	1.20	570.00
09/18/24	JGH	Edit draft Monthly Activity Report and application for attorneys' fees.	B110	0.70	332.50
09/19/24	NSG	Prepare Kercher August fee application.	B110	0.60	240.00
09/19/24	JGH	Finalize Fourth Monthly Activity Report, incorporating proposed edits from M. Kercher.	B110	0.30	142.50
09/19/24	NSG	Correspondence with M. Kercher regarding his August fee application	B110	0.10	40.00
09/19/24	NSG	Correspondence with M. Kercher, J. Horn and T. Knisley regarding finalizing receiver's report	B110	0.30	120.00
09/20/24	NSG	Continue draft of Kercher August fee application.	B110	0.20	80.00
09/20/24	NSG	Correspondence and confer with T. Amplement regarding finalizing and filing monthly receiver's report.	B110	0.40	160.00
09/20/24	TLA	Finalize and file Fourth Receiver's Report to the Court.	B110	0.50	112.50
09/23/24	NSG	Finalize Kercher August fee application, correspondence with M. Kercher regarding same, draft notice and motion and order, and correspondence with T. Amplement regarding filing same.	B110	1.00	400.00
09/23/24	NSG	Finalize HSE July fee application, correspondence with J. Horn regarding same, draft notice and motion and	B110	0.90	360.00

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<u>Date</u>	<u>Atty</u>	<u>Professional Services</u>	<u>Task Code</u>	<u>Hours</u>	<u>Amount</u>
		order, and correspondence with T. Amplement regarding filing same.			
09/23/24	TLA	Finalize Receiver Fifth Application for Approval of Expenses and HSE Third Application for Approval of Expenses.	B110	0.90	202.50
09/24/24	TLA	File Fifth Application for Expenses of Receiver and third Application for Expenses for HSE.	B110	0.60	135.00
09/25/24	JGH	Strategize with N. Gatto re pending litigation.	B110	0.30	142.50
09/25/24	JGH	Prepare for and participate in conference call with J. Milbrand, counsel for Five Star Bank.	B110	0.40	190.00
09/27/24	JGH	Call with M. Kercher re Crescent Beach sale and related matters.	B110	0.40	190.00
09/27/24	NSG	Review Kinecta bank documents and correspondence and confer with J. Horn regarding FSB request.	B110	0.40	160.00
09/27/24	NSG	Correspondence with M. Kercher regarding Crescent Beach.	B110	0.10	40.00
09/30/24	JGH	Email with FSB attorney and client regarding administrative changes to FSB receiver account.	B110	0.20	95.00
09/30/24	NSG	Correspondence with J. Horn regarding receiver account	B110	0.10	40.00
09/30/24	NSG	Review FSB pleadings in lawsuit attachment action.	B110	0.20	80.00
09/30/24	JGH	Review emails regarding potential Crescent Beach buyer and call with client re same.	B110	0.30	142.50
09/30/24	TLA	Review plaintiff's reply memorandums of law in further support of motion for order of attachment and forward same to M. Kercher.	B110	0.20	45.00
Total Hours and Fees				47.80	\$19,047.50

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<u>Attorney</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Amplement, Tracy L., Paralegal	7.40	225.00	1,665.00
Gatto, Nicholas S., Counsel	24.10	400.00	9,640.00
Horn, John G., Partner	16.30	475.00	7,742.50
Total Current Fees			\$19,047.50
Current Invoice Due			<u><u>\$19,047.50</u></u>

Y-T-D Fees: \$60,502.50 / Y-T-D Costs: \$0.00